

FILED*06 JUN 20 10:08USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Case No. 05-30013-01-AA
)	
)	ORDER
BERTHA ALLCIA CALVILLO-NIEVES,)	
)	
Defendant.)	


The Court convened at 2:30 p.m., on June 19, 2006 for a telephone hearing on Attorney Richard Thierolf's Motion to Withdraw. Mr. Thierolf was personally present, attorney Mark Fucile and Assistant U.S. Attorney Byron Chatfield appeared by telephone.

The court, being apprised that defendant opposes the withdrawal of Mr. Thierolf, concludes that although defendant was not present, her testimony would not have been persuasive. Upon the court's agreement to seal that portion of the record containing discussion of the court and counsel, a factual basis for the motion was satisfactorily given to the court.

IT IS ORDERED that Richard Thierolf's motion to withdraw as counsel for Bertha Allcia Calvillo-Nieves is GRANTED. The Federal Defender is directed to find substitute counsel for defendant and so advise the court.

The court is aware that although the granting of this motion will cause continuance of the case and an extension of the trial date, the interest of justice is more properly served by granting the motion and allowing Mr. Thierolf to withdraw.

DATED this 20 day of June, 2006.



JOHN P. COONEY
United States Magistrate Judge